761551N52A – SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: July 31, 2015

FROM: STEPHEN B. JOHNSON, CHIEF
EAST PATROL DIVISION

TO: DONNIE L. MAULDIN, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	SH2370002
Incident:	Non Hit Shooting
Incident Date:	February 2, 2015
Unit:	Santa Clarita Station
Suspect:	Jesse Tucker MW/12-11-84
Involved Employees:	Deputy Clarence Hodge #[redacted]
EFRC Date:	July 30, 2015

The Executive Force Review Committee (EFRC) consisting of Commanders Stephen B. Johnson, Patrick E. Maxwell, and Ralph G. Ornelas met and reviewed the above case.

FINDINGS:

The EFRC determined the use of deadly force and tactics were within the Department's policy.

RECOMMENDATIONS:

The EFRC made no recommendations.

SBJ:JRB:jrb

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 03/25/15	Bureau/Station/Facility: Santa Clarita Station	Admin. Invest.? ☑ Hit? ☐

Incident Information

URN: 915-01476-0664-093	Date: 02/02/15	Time: 0846 hours
City or Station: Newhall	Nature of Incident: The suspect attempted to run over Deputy Hodge with his vehicle. Deputy Hodge fired one round from his weapon at the suspect. The suspect fled on foot.	
Location: Oakriver Lane / Oakhurst Drive, Newhall		

Location Type (*check one or more*):
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☐ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other: Service road

Lighting (*check only one*):
- ☐ Darkness
- ☑ Daylight
- ☐ Other
- ☐ Street Lights

Weather (*circle only one*):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance:

Incident Type (*check one or more*):
- ☐ Accidental
- ☐ Armed Person
- ☐ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☑ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (*check only one*):
- ☐ Arrest Warrant
- ☑ Call
- ☐ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (*check only one*):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Aero Unit? ☑ Canine Unit? ☑

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
1	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
N/A				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name	Street Address	City	First Name	Zip Code	M.I.	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]			[redacted]	

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Soehnel	Sammy	D.	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
				☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Dahring	Andrew	M.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Bryski	Tom	W.

PSTD Use Only

SH # ____________

Officer Involved Shooting

URN: 915-01476-0664-093

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
02-02-15	1015 hours		

Employee #	Last Name	First Name	M.I.
[redacted]	Diez	Justin	D.
[redacted]	Hamil	Jeffery	F.
[redacted]	Carter	Quitman	V.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1 Tucker	E#1 Hodge	OV					NN	
E#1 Hodge	S#1 Tucker	FH	SW	9	Y	Y	NN	

Officer Involved Shooting
Involved Employee Information

URN: 915-01476-0664-093

Involved Employee

E 1

Employee # [redacted]	Last Name: Hodge	First Name: Clarence	M.I.: A.
Sex: M Race: W	Rank: Deputy	Unit Assignment: Santa Clarita Station	Work Assignment (Unit #, Module, etc.): 61
ShiftTime (*circle only one*): ☐ EM ☐ PM ☑ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☐
Hrs of sleep prior to shooting: 6 Age: [redacted] Height: 510	Duty Time (hrs): [redacted] Weight: 130	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors: N/A
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: S&W	Caliber: 9mm # Shots: 1	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☐
Hrs of sleep prior to shooting: Age: Height:	Duty Time (hrs): Weight:	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber: # Shots:	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☐
Hrs of sleep prior to shooting: Age: Height:	Duty Time (hrs): Weight:	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber: # Shots:	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.



Officer Involved Shooting
Suspect Information

URN: 915-01476-0664-093

Suspect Information

S 1

Last Name: Tucker	First Name: Jesse	M.I. A.
AKA Last Name:	First Name:	M.I.
Sex: M Race: W	Street Addr[redacted] City[redacted] [redacted]	State & Zip Code:

Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 30 D.O.B. 12-11-84	Height: 507 Weight: 150	FBI # [redacted]	CII # [redacted]
Booking # 4226325	Primary Charge: 215 PC, 3455(b)(1) PC	Secondary Charge: 207 PC, 245(C) PC, 487(D) PC, 11377(a) HS	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☑	Mental Illness? ☐	Criminal History? ☑
Vehicle Make: Ford		Model: F150	Year: 2006

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:

Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:

Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:

Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

ADMINISTRATIVE INVESTIGATIVE SUMMARY #SH2370002

Incident: Non-hit Deputy Involved Shooting

Involved Deputy: Deputy Clarence Alan Hodge #[redacted]

Date/Time: February 2, 2015, Monday, 0842 hours

Location: [redacted] Oakriver Lane, Newhall

File number: 915-01476-0664-091, 915-01509-0628-048

Bureau/Station: North Patrol Division, Santa Clarita Station

OVERVIEW

On February 2, 2015, Deputy Hodge was involved in a non-hit shooting, within the patrol area of Santa Clarita Sheriff's Station. Deputy Hodge was assigned to Santa Clarita Station, during the time of the incident. Santa Clarita Station received a call of a 503JO (Stolen vehicle - just occurred), in the Stevenson Ranch area. A Global Positioning System (GPS) was used by the victim to locate the vehicle, in the Newhall area. Deputy Hodge responded to the area, and located the stolen vehicle. It was positioned down a service road, at the end of a cul-de-sac, on a residential street.

Upon contacting the suspect, he (the suspect) attempted to run-over Deputy Hodge with the stolen vehicle. Deputy Hodge fired one round from his duty weapon, missing the suspect. The suspect ran away, in the neighborhood and was not located. Later that day, the suspect was located, and barricaded himself inside a residence, in Newhall. Special Enforcement Bureau (SEB) responded, and took the suspect into custody. The District Attorney's Office filed numerous felony and misdemeanor charges on the suspect. His court case is still on-going.

INCIDENT SUMMERY

On February 2, 2015, Santa Clarita Station deputies responded to a vehicle theft, just occurred call, at the "In N Out" restaurant, in Stevenson Ranch. Deputy Rodriguez #[redacted] (unit #62) responded, spoke to the victims (employees of "[redacted]"), and initiated a crime broadcast. The vehicle (2000 Ford F150, white, "[redacted]" decal, with gardening tools) and suspect description (male white, 20-25 years old, black hat, black hoodie, green pants) were broadcasted to assisting units. Deputy Rodriguez spoke to the owner of the truck, who said it had a GPS installed. The owner of the truck provided Deputy Rodriguez with the location of the truck. As such, Deputy Rodriguez broadcasted the updated locations of the stolen truck to responding units.

Deputy Hodge heard over the radio, that the truck was in the Newhall area. While responding, an updated location of [redacted] Newhall, was given over the radio. Deputy Hodge responded to the area to look for the stolen vehicle. While doing so, several additional units were in the immediate area looking for the vehicle (refer to incident report by Deputy Fletcher, and CHP 180's by Deputies Whiteaker and Rodriguez, URN #915-01476-0664-091, **Exhibit A**).

IAB Note: [redacted] does not exist. The nearest address is [redacted] Oakriver Lane (residence on the southwest side of the [redacted].

When Deputy Hodge arrived at [redacted] he saw the address did not exist, and the nearest address was at the end of the cul-de-sac. The cul-de-sac had a paved (concrete) service road that extended toward the river wash just southwest of the street. Deputy Hodge drove his patrol vehicle approximately 10 to 12 feet down the service road, and stopped. He exited his patrol vehicle and stood inside the open driver's side door. Upon doing so, he saw a male (identified as Witness [redacted] walking near the service road, toward the river wash, and holding a weed-eater. Deputy Hodge thought Witness [redacted] was the vehicle theft suspect. Witness [redacted] did not look like a gardener, and he appeared to be homeless. He was wearing dark clothing and jeans, holding a weed-eater, and matched the description of the suspect.

IAB Note: The service road provided access from the cul-de-sac (Oakriver Lane, Newhall) to a public utility box, and to the river wash area. The river wash area has several homeless encampments, which were within close proximity to the service road.

Deputy Hodge detained Witness [redacted] at gunpoint, and gave him verbal commands to get on the ground. Witness [redacted] complied, and was positioned on the dirt embankment, just south of the service road. Simultaneously, as Witness [redacted] was getting down on the ground, and Deputy Hodge was grabbing for his microphone to broadcast his location, he heard the roar of an engine and squealing tires. The stolen truck was coming toward his direction up the service road. Deputy Hodge quickly took cover, and positioned himself behind his patrol vehicle, near the trunk. The front driver's side of the stolen truck collided into the front driver's side fender/bumper of his patrol vehicle. After doing so, the stolen truck hit a cinderblock wall along the southeast side of the service road.

After Deputy Hodge took cover behind his patrol vehicle, he broadcasted that he was detaining two at gunpoint. At that point, Deputy Hodge thought there were two suspects at the location. The male adult driving the stolen truck (identified as Suspect Tucker), put it in reverse, and drove back down the service road at a high rate of speed. Deputy Hodge heard a loud screech, as if Suspect Tucker slammed into something at the bottom of the service road. However, he could not see the truck from his position.

Deputy Hodge positioned himself on the dirt embankment just south of the service road, approximately 10 to 15 feet east of Witness [redacted], who was still on the ground. Deputy Hodge wanted to get a better look down the service road, so he could get a description of Suspect Tucker. The stolen truck was stopped at the bottom of the service road, approximately 50 to 60 feet from Deputy Hodge. Suspect Tucker looked directly at Deputy Hodge, and reached down toward the seat. Deputy Hodge thought Suspect Tucker was reaching for a gun or a weapon.

Suspect Tucker looked at Deputy Hodge and drove directly at him, a second time. While doing so, Suspect Tucker ducked-down behind the dashboard of the stolen truck. Deputy Hodge thought Suspect Tucker was trying to run-over, and kill him. Deputy Hodge took a step backwards into the dirt embankment leading into the river wash. Simultaneously, he jumped out of the way three to four feet to his left, toward Witness [redacted] who was still on the ground.

> **IAB Note:** The service road had a dirt embankment to the south. The dirt embankment had a downwards declined slope that led into the river wash. The dirt embankment contained various trees, bushes, rocks, and PVC sprinkler pipe.

As the stolen truck approached Deputy Hodge, he tried to get out of the way. However, Deputy Hodge did not think he was going to make it, because Suspect Tucker was coming straight at him, and had the advantage. Simultaneously, Suspect Tucker popped his head up, just enough for Deputy Hodge to get a shot. Thus, Deputy Hodge

fired one round from his duty weapon, at Suspect Tucker's head, as he jumped out of the way. Upon doing so, Suspect Tucker quickly turned the stolen truck to the left, up the service road, and crashed into the cinderblock wall a second time.

The bullet went into the passenger side window of the stolen truck, and exited the driver's side window. Suspect Tucker exited the stolen truck and ran away northbound, up the service road, and into the neighborhood. Deputy Hodge broadcasted that he was involved in a 998, as Witness [redacted] was still on the ground. He looked back at Witness [redacted] and saw him toss a baggie of methamphetamine and a narcotics pipe to the ground. He continued holding Witness [redacted] at gunpoint, until assisting unit #62T1 (Deputy Bustamante #[redacted]) arrived approximately 15 to 20 seconds later, and handcuffed him.

Sergeant Soehnel #[redacted] (unit #60S) arrived approximately three to five minutes later, at which time Deputy Hodge provided him with a public safety statement (refer to supplemental report by Deputy Hodge, **Exhibit A**). Several individuals in the immediate area were detained by assisting units. However, after Deputy Hodge responded for field show-ups, they determined Suspect Tucker had not been located. Deputy Whiteaker #[redacted] (unit #64A) booked the methamphetamine and narcotics pipe into evidence, canvased for witnesses, and completed the major incident log (refer to supplemental reports and major incident log by Deputy Whiteaker, **Exhibit A**).

Later that day (approximately 1809 hours), it was determined Suspect Tucker was barricaded inside a residence [redacted]. Victim [redacted] ([redacted] of Suspect Tucker) said Suspect Tucker hid inside her vehicle and forced her to drive him to the residence. He was nervous, and ran inside the residence to hide (refer to incident report authored by Deputy Cacic #[redacted] URN #[redacted] **Exhibit B**).

A search warrant was authored, and SEB responded (refer to supplemental report by Detective Carrillo #[redacted] **Exhibit B**). Suspect Tucker was taken into custody by SEB personnel (refer to supplemental report by Deputy Rodriguez #[redacted] **Exhibit B**). Upon doing so, a bag containing methamphetamine was located inside Suspect Tucker's sock (refer to supplemental report by Deputy Bailey #[redacted] **Exhibit B**).

Suspect Tucker was subsequently arrested for; 215(a) PC (Carjacking), 207 PC (Kidnapping), 245(c) PC (Assault with a Deadly Weapon on a Peace Officer), 487(D)(1) PC (Grand Theft Auto), 11377(a) HS (Possession of a Controlled Substance), and 3455(B)(1) PC (Violation of AB109-Parole). His booking packet is included within this investigation (refer to **Exhibit C**).

INVOLVED DEPUTY:

Deputy Clarence Hodge, MW[redacted] 510, 237lbs
Santa Clarita Station - [redacted]

Date of Employment: 12/02/1999
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:
Injuries:

DEPARTMENT WITNESSES:

None

CIVILIAN WITNESSES:

[redacted] MW[redacted]

On the day of the incident, Deputy Whiteaker went to the residences inside the cul-de-sac, on Oakriver Lane. None of the residents he contacted, witnessed the incident (refer to supplemental report by Deputy Whiteaker, **Exhibit A**). On March 24, 2015, Sergeant Diez went to each residence inside the cul-de-sac, on Oakriver Lane [redacted] and [redacted], in an attempt to locate any witnesses and/or surveillance video.

Sergeant Diez contacted the residents at [redacted] MO[redacted], [redacted] MW[redacted], [redacted] MO[redacted], and [redacted] MO[redacted], who stated they did not hear, or witness the incident. Sergeant Diez contacted the resident at [redacted] FW[redacted], who stated while inside her residence, she heard two "loud noises" as if someone was hitting her garage door. She did not hear the gunshot, and did not witness the incident. Ms. [redacted] did not provide any additional information. The conversation was not recorded. Lastly, Sergeant Diez contacted the resident at [redacted] FW[redacted], who stated while inside her house, she heard a loud crash outside. She did not hear the gunshot, or witness the incident. Ms. [redacted] did not provide any additional information. The conversation was not recorded. All the residents that Sergeant Diez contacted, said they did not have any surveillance video of the incident.

PHYSICAL EVIDENCE:

Several items of evidence were located at the scene. Deputy Collins #[redacted] of the Scientific Services Bureau (SSB) Crime Lab, conducted a technical investigation of the scene (refer to SSB Crime Scene Investigation Report, **Exhibit D**). First, the stolen truck (EV-1) was positioned in an eastbound direction, on the service road. Next, a weed-eater (EV-2), leaf cutters (EV-3), baggie of Methamphetamine, and a narcotics pipe (EV-4) were located on the dirt embankment, south of the service road. An expended bullet casing from Deputy Hodge's firearm (EV-5) was also located on the dirt embankment, south of the service road. Lastly, a blue, collared, short sleeve shirt (EV-6), possibly belonging to Suspect Tucker, was located at the nearby [redacted] ([redacted], [redacted]), west of the incident. SSB Deputy Collins conducted a latent print investigation on the stolen truck. No prints were found in the Automated Fingerprint Identification System (AFIS).

At the bottom of the service road near the wrought iron fence, there was an approximately eight foot black skid mark on the concrete. The skid mark was apparently caused by the rear driver's side tire of the stolen truck. Approximately ten feet beyond the end of the skid mark, were tire tracks in the dirt, on the north side of the service road. The skid mark and tire tracks appeared to be in the same trajectory, up the service road. Approximately, five feet beyond the tire tracks in the dirt, was another skid mark on the service road. The skid mark appeared to be in the same trajectory as the rear driver's side tire of the stolen truck. In addition, there were tire tracks in the dirt, on the south side of the service road. The tire tracks paralleled the service road in an eastbound direction, on the dirt.

IAB Note: Sergeant Diez was unable to determine if the tire tracks in the dirt, on the south side of the service road were related to this incident.

Lastly, Sergeant Diez observed the hood, windshield, and roof of Deputy Hodge's patrol vehicle were covered with shattered glass fragments. The glass fragments were extremely small and could only be seen, if observed from a certain angle, with the sun shining on them.

IAB Note: The skid marks, tire tracks in the dirt (north and south side of the service road), and shattered glass fragments were not listed as evidence within the SSB Crime Scene Instigation Report.

INVESTIGATORS OBSERVATIONS:

Sergeant's Diez, Hamil, Hernandez, and Lieutenant Carter were provided a walkthrough of the location, by Santa Clarita Sergeant Soehnel (unit #60S). Sergeant Diez observed the paved concrete service road at the end of the cul-de-sac (Oakriver Lane, Newhall). The service road extended downhill below street level. Directly to the north of the service road were tall bushes (approximately three to five feet tall). Beyond the bushes, in the distance, was a large hillside. Directly south of the service road, was a dirt embankment. The dirt embankment extended downwards for approximately 15 to 20 feet, where it leveled off into the river wash. Along the east side of the service road, was a short cinderblock wall (approximately one to two feet tall). In addition, east of the service road, there was an elevated residence ([redacted] Oakriver Lane), which was situated on the southwest side of the cul-de-sac. The west side of the residence overlooked the service road, dirt embankment, and river wash. Lastly, west of the service road, was the river wash area.

At the bottom of the service road were two fences. First, on the north side, there was a wrought iron fence which allowed access into an area contained by a large cinderblock wall. That area had two large electrical transformers. Second, to the northwest, there was a chain-link fence that blocked vehicles from further accessing the service road. The chain-link fence had two, County of Los Angeles Department of Public Works, signs attached. The service road extended in a northwest direction beyond the chain-link fence. SSB Deputy Collins and IAB investigators photographed the location (refer to CD, IAB and SSB pictures, **Exhibit E**).

SURVIELLENCE VIDEO:

None of the residences in the cul-de-sac had any surveillance video. All the residents that Sergeant Diez contacted, said they did not have any surveillance video of the incident. Sergeant Diez did not see any obvious surveillance video at any of the residences.

RADIO TRAFFIC:

Prior to Deputy Hodge firing his weapon, the incident contained radio traffic on, Dispatch 5, L-Tac, and A-Tac-1 (refer to "Pre 998 Audio" CD, audio files **Export_2015-02-03** through **Export_2015-02-03a20**, **Exhibit F**). The incident was initially coordinated over Dispatch, and L-Tac. The radio traffic began with a 503JO dispatch to Santa Clarita Station units. Deputy Rodriguez (unit #62) was first to arrive. She conducted a broadcast on Dispatch, and asked for Aero to respond. Deputy Rodriguez updated units, that GPS located the stolen truck, at [redacted] Several units (unit #69N2, 60S, and 62T1) assisted with the initial coordination and subsequent

search of the area (Export_2015-02-03 through Export_2015-02-03a7). All responding units were switched from Dispatch, to A-Tac-1 (Export_2015-02-03a8).

While on A-Tac-1, several more units (unit #61, 62D, and 62A) responded to search the area in Newhall, for the stolen truck (Export_2015-02-03a9 through Export_2015-02-03a20). While searching the immediate area, the GPS location was updated, to [redacted] (Export_2015-02-03a11). Deputy Hodge (unit #61) broadcasted that he was checking the area around Oakhurst (street that intersects with [redacted]). Assisting units (unit #62D, 62A, 62T1) were checking the immediate area near Deputy Hodge's location. Aero broadcasted that they were 11 minutes away (Export_2015-02-03a20).

> **IAB Note:** [redacted] does not exist. The nearest address is [redacted] Oakriver Lane (residence on the southwest side of the cul-de-sac).

After Deputy Hodge fired his weapon, there was radio traffic on both, Dispatch and A-Tac-1 (refer to "Post 998 Audio" CD, audio files **Export_2015-02-03** through **Export_2015-02-03z119**, **Exhibit F**). Deputy Hodge broadcasted over Dispatch, that he was detaining two at gunpoint, on [redacted] (0:01 seconds). Approximately 19 seconds later (0:20 seconds), Deputy Hodge broadcasted that he was involved in a 998, and one suspect tried to run him over. He further broadcasted the suspect was running away, and he was detaining one suspect at his location (Export_2015-02-03). Unit 62T1 (Deputy Bustamante) was first to respond, and arrived approximately one minute after the 998 broadcast (1:23 minutes). Aero told SCC they were seven and a half minutes out, and asked them to activate the duplex patch. Aero assisted in coordinating the containment of the location. All assisting units were switched from Dispatch, back to A-Tac-1 (Export_2015-02-03z13). The remainder of the radio traffic (Export_2015-02-03z14 through Export_2015-02-03z119) documents responding Santa Clarita Station units, Aero, and SEB/K-9 attempting to locate Suspect Tucker in the surrounding area.

WEAPON USED BY DEPUTY:

Service Weapon Type:	Smith & Wesson, M&P9, Semiautomatic 9MM, Pistol,
Rounds Fired:	One
Ammunition Used:	Department issued WIN 9MM Luger
Date Last Qualified:	[redacted]

Deputy Hodge's weapon was retrieved by Sergeant's Diez and Hamil. The firearm had one live round inside the chamber, and 15 live rounds inside the magazine. The weapon and ammunition were submitted to the crime lab by SSB Deputy Collins, under

lab receipt #K476240. SSB tested the firearm for functionality, under lab receipt #K648238 (refer to lab receipt and SSB report, **Exhibit G**).

WEAPON USED BY SUSPECT:

Suspect Tucker used the stolen truck as a weapon against Deputy Hodge (refer to attached CD, SSB and IAB pictures, **Exhibit E**). No other weapons were located.

PROPERTY DAMAGE:

Property damage was sustained at the scene. Deputy Collins, of the SSB Crime Lab, conducted a technical investigation of the scene (refer to SSB Crime Scene Investigation Report, **Exhibit D**). The stolen truck driven by Suspect Tucker, sustained significant damage as a result of the incident. The passenger and driver's side windows were shattered (EV-B). The driver's side front fender and door, had body damage and paint transfer (EV-E) from Deputy Hodge's patrol vehicle. In addition, the plastic and metal, on the rear bumper was bent and damaged. The plastic on the lower section of front bumper was damaged, as well (EV-D). Deputy Hodge's patrol vehicle (SH1251) was also damaged as a result of the incident. The driver's side front bumper and fender had body damage and paint transfer (EV-C) from the stolen truck driven by Suspect Tucker. Additionally, the front driver's side headlamp was shattered (EV-A). Lastly, the service road had a short cinderblock wall (approximately one to two feet tall) along south east side. The front driver's side of the stolen truck had collided into the cinderblock wall, and was resting on it. Several pieces of cinderblock had been dislodged from the wall, and were on the service road (EV-F).

At the bottom of the service road were two fences. First, on the north side, there was a wrought iron fence which allowed access into an area contained by a large cinderblock wall. The wrought iron fence was damaged and the hinges were detached from the cinderblock wall. The wrought iron fence was open and the lock was on the ground. Second, to the northwest, there was a chain-link fence that blocked vehicles from further accessing the service road. The chain-link fence was unsecured and the lock was on the ground. SSB Deputy Collins, and IAB investigators photographed the location (refer to attached CD, SSB and IAB pictures, **Exhibit E**).

> **IAB Note:** The damage to the wrought iron fence was not listed as property damage within the SSB Crime Scene Instigation Report.

CRIMINAL CHARGES FILED:

Investigators: Detective Lambrecht #[redacted] and Detective Carrillo #[redacted]

Charges Filed: On February 4, 2015, the District Attorney's Office in San Fernando Court, charged Suspect Tucker (Case # PA082930) with the following; Assault on a Peace Officer (245(c) PC), Resisting a Peace Officer with Force (69 PC), Kidnapping (207(a) PC), Criminal Threats (422 PC), Possession of a Controlled Substance (11377(a) HS), Repeat Vehicle Theft Felony Enhancement (666.5 PC), Possession of a Smoking Device (11364 HS), and Driving Without a License (12500 CVC). Currently, Suspect Tucker's court case is on-going.

LIGHTING AND WEATHER CONDITIONS:

The shooting occurred during daylight hours. The weather was clear, and not a factor.

INVOLVED EMPLOYEE STATEMENT:

Deputy Clarence Hodge #[redacted]

On February 23, 2015, Sergeant Diez and Lieutenant Carter interviewed Deputy Hodge at Internal Affairs Bureau. The interview was audio recorded. The following is a summary of the interview:

Deputy Hodge said he heard over the radio that a gardening vehicle (Ford F150, white, green company logos on the side) had been stolen, in Stevenson Ranch. The gardeners were working near the vehicle, and saw the suspect (identified as Jesse Tucker) steal it. They provided a suspect description (male with dark clothing and a hat) to responding deputies. The owner of the vehicle had a GPS installed on the vehicle, and was able to track its location. The updated location was broadcast over the radio as [redacted]

IAB Note: [redacted] was the actual location that was broadcasted (not [redacted].

Deputy Hodge responded to the area to look for the stolen vehicle. While doing so, unit 62D (Deputy Guzman) was checking a park-and-ride about a quarter mile from the location. Furthermore, based on his MDC mapper, L-Tac, A-Tac, and direct radio transmissions, Deputy Hodge knew there were three to four units in the immediate area, within 30 seconds of the location he was searching.

When Deputy Hodge arrived at the end of the cul-de-sac, he saw a paved service road that extended toward the river wash, just south of the street. Deputy Hodge drove his patrol vehicle approximately 10 to 12 feet down the service road, and stopped. He exited his patrol vehicle and stood inside the open driver's side door. Upon doing so, he saw a male (identified as Witness [redacted] walking near the service road, toward the river wash, and holding a weed-eater. Deputy Hodge thought Witness [redacted] was the vehicle theft suspect. Witness [redacted] did not look like a gardener, and he appeared to be homeless. He was wearing dark clothing and jeans, holding a weed-eater, and matched the description of the suspect.

Deputy Hodge detained Witness [redacted] at gunpoint, and gave him verbal commands to get on the ground. Witness [redacted] complied, and was positioned on the dirt, just south of the service road. Deputy Hodge thought about broadcasting his location on the patch (Dispatch 5). However, his radio was still on A-Tac, and there were other units coordinating their response. Simultaneously, as Witness [redacted] was getting down on the ground, and Deputy Hodge was grabbing for his microphone, he heard the roar of an engine and squealing tires. The stolen vehicle was coming toward his direction up the service road. Deputy Hodge quickly took cover, and positioned himself behind his patrol vehicle, near the trunk. He estimated the stolen vehicle was traveling approximately 30-35 miles per hour. The front driver's side of the stolen truck hit the front driver's side fender/bumper of his patrol vehicle. After doing so, the stolen truck hit a wall.

Deputy Hodge estimated that three to five seconds had elapsed from the time he exited his patrol vehicle, to the time he told Witness [redacted] to get on the ground. Furthermore, he estimated one second had elapsed from the time he told Witness [redacted] to get on the ground, to the time he heard the squeal of the tires from the stolen truck. Deputy Hodge noted, as Witness [redacted] was going down to the ground, the stolen truck came toward his location.

Once Deputy Hodge took cover behind his patrol vehicle, he broadcasted that he was detaining two at gunpoint, and his patrol vehicle had been rammed. Deputy Hodge said if he had not moved behind his patrol vehicle, he would have been run-over, or at minimum, physically hit by the stolen truck. Deputy Hodge said he thought Suspect Tucker was hell-bent on getting away up the service road, and he (Suspect Tucker) didn't care if he ran over the wall, the bushes, or Deputy Hodge, to do so. At that point, Deputy Hodge thought there were two suspects at the location. Suspect Tucker then put the stolen truck in reverse, and drove back down the service road at a high rate of speed. Deputy Hodge heard a loud screech as if Suspect Tucker slammed into something.

Deputy Hodge positioned himself in the dirt just south of the service road, approximately 10 to 15 feet east of Witness [redacted] who was still on the ground. Deputy Hodge wanted to get a better look down the service road, so he could get a description of Suspect Tucker. The stolen truck was stopped at the bottom of the service road, approximately 50 to 60 feet from Deputy Hodge. Deputy Hodge thought Suspect Tucker was going to get out, and run away. However, Suspect Tucker looked directly at Deputy Hodge, and reached down toward the seat of the stolen truck. Deputy Hodge thought Suspect Tucker was reaching for a gun or a weapon.

Suspect Tucker looked directly at Deputy Hodge with "fuck you" eyes. He "gunned it," squealed the wheels, and drove directly at him a second time. While doing so, Suspect Tucker ducked-down behind the dashboard of the stolen truck. At that point, Deputy Hodge thought Suspect Tucker was trying to run over, and kill him. Suspect Tucker had already gone up the service road one time, and realized there was no room to get the stolen truck out. He couldn't drive past Deputy Hodge because the river wash area was full of trees, and he would not be able to get the truck out of there. Initially, Deputy Hodge said he was going to take cover behind his radio car. However, he took a couple of steps in that direction (referring to stepping to his right in an eastbound direction), and then realized that it was too far away. Thus, Deputy Hodge took a step backwards into the dirt embankment of the river wash, and jumped out of the way three to four feet to his left (referring to a westbound direction), toward Witness [redacted] who was still on the ground.

Deputy Hodge said he remembered the video from TAS (referring to LASD Tactics and Survival), about shooting at moving vehicles, and how doing so, does not work. He knew he had to get out of the way, and he also thought Suspect Tucker had a gun. However, Suspect Tucker was ducked down behind the dashboard of the stolen truck, and Deputy Hodge did not have a shot on him. As the stolen truck approached Deputy Hodge, he tried to get out of the way. However, Deputy Hodge did not think he was going to make it, because Suspect Tucker was coming straight at him, and had the advantage. Simultaneously, Suspect Tucker popped his head up just enough for Deputy Hodge to get a shot. Thus, Deputy Hodge fired one shot at Suspect Tucker's head, as he jumped out of the way. Deputy Hodge hoped it would either slow him, or get him off the gas pedal enough, to get out of the way. Upon doing so, Suspect Tucker "jacked" the stolen truck to the left (eastbound) and crashed into the wall (referring to the small cinderblock wall just south of the service road). The bullet went into the passenger side window of the stolen truck, and exited the driver's side window. Suspect Tucker exited the stolen truck and ran away northbound, up the service road, and into the neighborhood. Deputy Hodge said when Suspect Tucker ran away from the stolen truck (northbound), he accidently broadcasted that he ran southbound. He continued holding Witness [redacted] at gunpoint until an assisting unit arrived

approximately 15 to 20 seconds later, and handcuffed him. Sergeant Soehnel (unit # 60S) arrived approximately three to five minutes later, at which time Deputy Hodge provided him with a public safety statement.

Deputy Hodge said, had he not jumped out of the way, and Suspect Tucker kept going in his exact same trajectory, he (Suspect Tucker) would have physically ran him over. Furthermore, even after jumping out of the way, the stolen truck still would have ran him over, had Suspect Tucker not quickly turned to the left (eastbound). Deputy Hodge did not have any cover near him, to provide protection from the stolen truck. In addition, he did not have any cover down the dirt embankment. Deputy Hodge said, had he went further down the embankment, he could have been injured. He estimated, less than two seconds elapsed from the time Deputy Hodge heard the wheels of the stolen truck screech, to the time he jumped out of the way. Deputy Hodge said he thought Suspect Tucker had his head down because he (Deputy Hodge) was holding him at gunpoint, and he didn't want to get shot.

Deputy Hodge said if Suspect Tucker didn't turn the stolen truck to the left at the split second he fired his weapon, the bullet would have gone through the windshield and into his head. The delay of his trigger pull, and the truck turning to the left, caused his round to go through the passenger window. Furthermore, Deputy Hodge said he believed that firing the round, caused Suspect Tucker to turn the steering wheel, because he thought he was going to get shot. Before firing his weapon, Deputy Hodge did consider his backdrop which included dirt, bushes, fence, and a wall. Deputy Hodge said he fired the round to stop Suspect Tucker and to take him out. Deputy Hodge only fired one round because he didn't have a target to shoot at, until Suspect Tucker popped his head up. Thus, he only had time to get a round off. Deputy Hodge said the stolen vehicle posed an immediate threat of death or serious injury to him, and Suspect Tucker's only means of escape was to kill him so he could get away.

Sergeant Diez presented Deputy Hodge with several pictures depicting the area where the incident occurred (refer to **pictures #1-5**, attached to transcribed interview). **Picture #1** was an aerial view of the service road, patrol vehicle, and stolen truck. The patrol vehicle was positioned facing southwest on the service road. The stolen truck was positioned just south of the patrol vehicle, facing northwest. The driver's side was positioned on the service road, and the passenger side was positioned on the dirt embankment. The front end of the stolen truck was positioned on top of the cinderblock wall. First, Deputy Hodge placed a blue "X" near the driver's side door of the patrol vehicle, where he was positioned when he initially saw Witness [redacted] He then placed a blue "X" behind the patrol vehicle, where he took cover from the stolen truck, as it approached his initial position (near the driver's door). Next, he placed a blue "X" where he repositioned himself after the stolen truck collided into his patrol vehicle the first time, and went in reverse down the service road. He was standing south of the

service road, where it meets with the dirt embankment. Deputy Hodge placed a red "X" in the position where Witness [redacted] was lying on the ground after he detained him. Witness [redacted] was lying on the dirt embankment south of the service road, west of where Deputy Hodge was standing. Lastly, Deputy Hodge placed a red arrow from the bottom of the service road, in an eastbound direction, directly at the blue "X" (position where he was standing on the dirt embankment). The red arrow depicted the trajectory that Suspect Tucker drove the stolen truck at Deputy Hodge.

Picture #2 was a ground level view of the service road, patrol vehicle, and stolen truck. Deputy Hodge drew a blue "X" where he repositioned himself after the stolen truck collided into his patrol vehicle the first time, and went in reverse down the service road. He was standing south of the service road, where it meets with the dirt embankment. **Picture #5** was a ground level view of the dirt embankment. It showed Deputy Hodge's expended casing on the ground (marked by a yellow evidence card #5). The casing was on the dirt embankment, approximately 10 feet south of the service road. Deputy Hodge placed a blue "X" in the position he was standing, when Suspect Tucker drove the stolen truck at him. He was near bushes, south of the service road, where it meets with the dirt embankment. Deputy Hodge viewed **Picture #3** which depicted the chain link fence, and wrought iron fence at the bottom of the service road. He also viewed **Picture #4** which depicted the tire tracks in the dirt at the bottom of the service road. He did not place any markings on pictures #3 or 4.

Lastly, Deputy Hodge said he had three magazines for his Smith and Wesson M&P firearm. Each one was loaded with only 16 rounds. Deputy Hodge said when loading his magazines, he held them with his left hand, and loaded rounds with his right hand/thumb. As such, he only looked at the right side of the magazine which had the even numbers displayed (referring to rounds #4-16). He did not notice that the left side of the magazine had the odd numbers displayed (referring to rounds #5-17). Thus, each of his three magazines were missing one round.

IAB Note: Smith and Wesson M&P firearms hold 17 rounds inside the magazine, and one round inside the chamber.

For the complete interview of Deputy Hodge, refer to his transcript attached to the end of this investigation.

SUSPECT INTERVIEW:

Suspect Jesse Tucker

On February 3, 2015, Sergeant Diez interviewed Suspect Tucker at Santa Clarita Sheriff's Station. The interview was audio recorded. The following is a summary of the interview:

Suspect Tucker was reluctant to provide an interview, and only gave limited information. Suspect Tucker stated, "I'm not really too keen on an interview, sir, but I will say that I feel like the deputy was well within his -- it was a warning shot, I think. It was taken as thus and that's all I know." Suspect Tucker said Deputy Hodge could have killed him. They were only ten feet from each other. Sergeant Diez asked Suspect Tucker why he thought Deputy Hodge wanted to warn him. Suspect Tucker said because of the seriousness of everything. However, Suspect Tucker said he wasn't trying to kill or hit Deputy Hodge with the car (referring to the stolen truck). He was only trying to get around the car (referring to the patrol vehicle). Lastly, Suspect Tucker said Deputy Hodge was standing five feet from the police car in the dirt (referring to the dirt embankment).

For the complete interview of Suspect Tucker, refer to his transcript attached to the end of this investigation.

WITNESS INTERVIEW:

Witness [redacted]

On February 2, 2015, Sergeant's Diez and Hamil interviewed Witness [redacted] inside a patrol vehicle, at Sierra Highway / Newhall Avenue, Newhall. The interview was audio recorded. The following is a summary of the interview:

Witness [redacted] said he is [redacted] and lives inside the [redacted] (south of the service road). He met Jess (referring to Suspect Tucker) a couple months ago, after recycling in Newhall. Suspect Tucker parked the truck, and came down to the wash to get Witness [redacted] Suspect Tucker told Witness [redacted] that he had stolen a car from some Mexicans. When the Mexicans got back to work and turned their backs, he jumped into their car and took off with it. He offered to give Witness [redacted] a ride so he could go recycling. Witness [redacted]aw the truck had a bunch of gardening equipment inside. Suspect Tucker gave Witness [redacted]he weed-eater, and he (Witness [redacted] walked away.

Witness [redacted] decided he didn't want the stolen weed-eater. As he was putting it down, the deputy (referring to Deputy Hodge) arrived and told him not to move. When Deputy Hodge saw Witness [redacted] he (referring to Deputy Hodge) had not seen Suspect Tucker yet. He didn't see Suspect Tucker until he started up the truck. Witness [redacted] stated, "That's when Jess looked at me, and saw the officer and stepped on it, came close to hitting me, almost hit the officer, and then slammed into the cop car." Witness [redacted] said Suspect Tucker then put the car in reverse, slammed into the gate, put the car in drive, and came even closer to hitting them again. Suspect Tucker slammed into the cop car a second time, and the officer shot once.

Witness [redacted] said after Suspect Tucker hit the patrol vehicle, Deputy Hodge had his gun drawn, and told him to stop. However, he put the truck in reverse, and slammed into the gate. Deputy Hodge told him to stop again. Suspect Tucker drove forward, almost hit them again because he made a wider turn, and crashed into the patrol vehicle. Witness [redacted] said the second time Suspect Tucker crashed into the patrol vehicle, Deputy Hodge was standing near the front of the patrol vehicle. Witness [redacted] said Suspect Tucker was not trying to hit him or Deputy Hodge. Rather, he was trying to get away. The first time, Suspect Tucker came within a couple feet of hitting them. The second time, Suspect Tucker came within inches of hitting them. Witness [redacted] noted, he could feel the wind from the mirror (of the truck).

Sergeant Diez asked Witness [redacted] to describe the shooting. Witness [redacted] said it (referring to the service road) was too narrow, and Suspect Tucker crashed again. Deputy Hodge told him to stop, and he (referring to Deputy Hodge) thought Suspect Tucker was going to go into reverse again. Deputy Hodge fired one round through the back window, and out the front window. Suspect Tucker opened the door and took off running. Sergeant Diez asked Witness [redacted] to repeat the sequence again. Witness [redacted] said Suspect Tucker crashed into the wall after Deputy Hodge shot at him. Deputy Hodge "called for shots fired" (referring to broadcasting the incident), and another deputy (referring to Deputy Bustamante) arrived to handcuff Witness [redacted]

IAB Note: The round from Deputy Hodge's firearm went through the passenger window, and out the driver's side window of the truck. It did not go through the back window and exit the front window, as Witness [redacted] stated.

IAB Note: Several times during the interview, Witness [redacted] reiterated that Deputy Hodge fired his weapon, after Suspect Tucker crashed the second time. However, at one point in the interview, Witness [redacted] said Deputy Hodge fired his weapon before Suspect Tucker crashed the second time.

Witness [redacted] said Deputy Hodge had to jump out of the way to avoid being hit. He had backed up a little bit, and had his gun drawn. Furthermore, Deputy Hodge would have probably been hit by the truck, had he not backed up. Witness [redacted] said when Suspect Tucker was driving at them, he looked like he didn't know what to do. Witness [redacted] said he could tell that Suspect Tucker was high during the incident, and stated, "He was just like over-excitement." Witness [redacted] said Suspect Tucker gets high, and does methamphetamine. Witness [redacted] said he (referring to Witness [redacted] was sober, and not under the influence during the incident.

Witness [redacted] said he thought Deputy Hodge acted well given the circumstances. When Deputy Hodge shot, Witness [redacted] thought he (referring to Witness [redacted] was going to get hit by the truck. He did not get hit by the truck because of luck. Sergeant Diez asked Witness [redacted] if Deputy Hodge acted appropriately, from the time he initially stopped him, to the time he shot. Witness [redacted] replied, "I agree with him because his life and my life was in danger at that moment and time." Lastly, Sergeant Diez asked Witness [redacted] if Deputy Hodge had any other alternative, other than the shooting. Witness [redacted] said he had every right to shoot.

For the complete interview of Witness [redacted] refer to his transcript attached to the end of this investigation.